

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2014120341

ORDER GRANTING JOINT REQUEST
FOR CONTINUANCE AND SETTING
MEDIATION, PREHEARING
CONFERENCE, AND HEARING

On January 9, 2015, the parties filed a joint request to continue the mediation, prehearing conference and hearing dates in this matter. This is the first continuance request since the filing of the complaint.

A due process hearing must be conducted and a decision rendered within 45 days of receipt of the due process notice unless an extension is granted for good cause. (34 C.F.R. § 300.515(a) & (c) (2006); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3); Cal. Code Regs., tit. 1, § 1020.) As a result, continuances are disfavored. Good cause may include the unavailability of a party, counsel, or an essential witness due to death, illness or other excusable circumstances; substitution of an attorney when the substitution is required in the interests of justice; a party's excused inability to obtain essential testimony or other material evidence despite diligent efforts; or another significant, unanticipated change in the status of the case as a result of which the case is not ready for hearing. (See Cal. Rules of Court, rule 3.1332(c).) OAH considers all relevant facts and circumstances, including the proximity of the hearing date; previous continuances or delays; the length of continuance requested; the availability of other means to address the problem giving rise to the request; prejudice to a party or witness as a result of a continuance; the impact of granting a continuance on other pending hearings; whether trial counsel is engaged in another trial; whether the parties have stipulated to a continuance; whether the interests of justice are served by the continuance; and any other relevant fact or circumstance. (See Cal. Rules of Court, rule 3.1332(d).)

OAH has reviewed the request for continuance and considered all relevant facts and circumstances, including the parties' collaboration in agreeing upon continued dates. Good cause existing therefore, the request is granted.

All dates are vacated. This matter will be set as follows:

Mediation:

January 14, 2015, at 1:30 PM, at District's
offices, 333 South Beaudry Avenue, 17th Floor,
Los Angeles, California 90017.

Prehearing Conference: April 10, 2015, at 3:00 PM.

Due Process Hearing: April 20, 21, 22 and 23, 2015, commencing at 9:30 AM, except for the first day, which will commence at 1:30 PM. The hearing shall continue day to day, Monday through Thursday, as needed at the discretion of the Administrative Law Judge. The hearing shall take place at the Office of Administrative Hearings, 15350 Sherman Way, Suite 300, Van Nuys, California 91406.

IT IS SO ORDERED.

DATE: January 09, 2015

/s/

CLIFFORD H. WOOSLEY
Administrative Law Judge
Office of Administrative Hearings